6. Size of packs

7. Break-up of Retail Price: Existing now claimed price Rs./Pack (if any, date

a. *Material Cost*

b. Conversion Cost.

c. Packing Material cost

d. packing charges

e. Ex-factory cost (a) to (d)

f. MAPE %on (e) above

g. Excise Duty

h. Retail Price (R.P.) (e+f+g).

8. Rates of active ingredients.

The information furnished in this form is to be certified by authorised signatory of the company and a Chartered/Cost Accountant."

DPEA Arrears

648. SHRI BEKAL UTSAHI:
SHRI RAJNI RANJAN SAHU:

Will the Minister of INDUSTRY be pleased to refer to the answer to Unstarred Question 1462 given in the Rajya Sabha on the 9th May, 1988 and state:

(a) whether it is a fact that the huge amount is due to be recovered from drug companies since last 7 years which has been overcharged from consumers on Gentamycin,Doxycycline, Rifampicin, Matranidazone Ampicillin and number of other drugs;

(b) what are the details of action taken as per the process of law during the last five years;

(c) what are the details of the provisions under the Price Control Order, Essential Commodities Act, opinion of Law Ministry and relevant law regarding the recovery of unintended benefits made on medicines by overcharging the poor consumers; and

(d) what are the reasons for not utilising the powers under law even after clearance from Law Ministry?

THE MINISTER OF INDUSTRY (SHRI J. VENGAL RAO): (a) and (b) Amount are recoverable from some companies under Para 7 of the DPCO, 1979. Notices have been issued to some companies for recovery of the amount.

(c) Provisions relating to recovery of amount are contained in Para 17 and 29 of the Drugs (Prices Control) Order, 1979 which was laid on the Table of the House Provisions for recovery of amount are also contained in Sections 7 and 7-A of Essential Commodities Act, 1955.

(d) Necessary action has been taken as per due process of law.

Unintended benefit on Dipyridamol

649. SHRI BEKAL UTSAHI: Will the Minister of INDUSTRY be pleased to state:

(a) what is the period during which poor masses were overcharged on medicines based on Dipyridamol;

(b) what is the total amount due towards the companies from the date of price fixation of Dipyridamol upto August, 1987 and upto what period the amount of around Rs. 60 lakhs was finalised;

(c) what steps have been taken to recover the amount during the last two years; and

(d) what was the production, export and utilization of Dipyridamol during the

periodof overcharging along with the difference between the price charged on finished medicine based on this drug from the consumer and the price fixed by Government for bul drug?

THE MINISTER OF INDUSTRY (SHRI J. VENGAL RAO): (a) to (c). An amount of Rs. 59.95 lakhs has been determined to be recoverable under paragraph of DPCO, 1979 from the company for the period April 79 to July 84. Notice for recovery of the amount has been issued.

(d) The quantity involved is about 7265 kgs. and the difference in price allowed in the formulation and the actual import/purchase price varies from Rs. 341.65 kg. to Rs. 1835.40 kg.

Supreme Court directices for the recovery of unitended benefits

650. SHRI BEKAL UTSAHI: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact the Supreme Court directed his Ministry to recovered the amount overcharged by Parke Davis Merind Ethnor, Pfizer, Gefary Manner, John Wyeth; Hoechst and Cyanamid;

(b) if so what are the names of the bulk drugs and finished medicines on which the overcharging amount was directed to be recovered;

(c) whether his Ministry has made any assessment of the amount due on each drug/formulation of each company;

(d) if so what are the basis assessing the amount; and

(e) what was the production, export and utilization of each bulk drug involved for the period for which the overcharged amount is to be recovered along with the difference between price on which the formulation price was charged and the price fixed by Government based on each bulk drug?

THE MINISTER OF INDUSTRY (SHRI J. VENGAL RAO): (a) and (b). The Supreme Court directed the Government to review the cases, and dispose them off, while approving the principles. To the extent information available is given in the enclosed statement. (*See* below).

(c) and (d) The details of the amount assessed tentatively by the special team as recoverable from the companies for the period ending 31st December 1983 and the amounts recovered till-data are given below:

SL.No.	Name of the Company	Amount assessed	Amount recovered
1	M/s. Hoechst India Ltd.	5,64,12,423	3 crores
2	M/s. Cyanamid India Ltd.	4,92,00,247	50 lakhs
3	M/s. John wyeth India Ltd.	1,66,87,232	25 lakhs
4	M/s. Geeffrev Manners Ltd.	29, 85,260	
5	M/s. Pfizer Ltd.*	95,07,731	10 lakhs.
6	M/s. Ethnor Ltd.	10,18,543	7,99, 134
7	M/s. Firanco Indian Pharmaceuticals Ltd.	——	42,936

*The amount was subsequent revised by the special team as Rs. 48,21,148.

(e) The number of bulk drugs and formulations involved are very large and hence the details required are quite voluminous. The time and efforts required for collection of these details will not be commensurate with the reults likely to be achieved.